

# Order

Michigan Supreme Court  
Lansing, Michigan

March 30, 2016

Robert P. Young, Jr.,  
Chief Justice

152840

Stephen J. Markman  
Brian K. Zahra  
Bridget M. McCormack  
David F. Viviano  
Richard H. Bernstein  
Joan L. Larsen,  
Justices

PEOPLE OF THE STATE OF MICHIGAN,  
Plaintiff-Appellee,

v

SC: 152840  
COA: 322655  
Wayne CC: 14-003800-FH

DARIUS LAMARR FRANKLIN,  
Defendant-Appellant.

---

On order of the Court, the application for leave to appeal the October 20, 2015 judgment of the Court of Appeals is considered. We direct the Clerk to schedule oral argument on whether to grant the application or take other action. MCR 7.305(H)(1). The parties shall file supplemental briefs within 42 days of the date of this order addressing whether the Court of Appeals erred in concluding that *Franks v Delaware*, 438 US 154; 98 S Ct 2674; 57 L Ed 2d 667 (1978), limited the trial court's discretion to order a hearing on the sufficiency of the affidavit in support of the search warrant. The parties should not submit mere restatements of their application papers.



a0323

I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

March 30, 2016

Clerk